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SUBJ: INDIAN PRESS CONTROLS, FURTHER PRESS REACTION
TO THE NEW ORDINANCES

REF: NEW DELHI 16487-C

SUMMARY: GOI'S DECEMBER 8 PRESS CONTROL ORDINANCES,
ESPECIALLY THE PREVENTION OF
PUBLICATION OF OBJECTIONABLE
MATTER ORDINANCE, HAVE CONTINUED TO COME UNDER HEAVY
EDITORIAL ATTACK, LED BY THE EXPRESS GROUP OF NEWSPAPERS.
IN SOMETIMES BITTER TONES EDITORIALS WARN THAT DISSENT
IN DEMOCRACY IS DESIRABLE AND QUESTION THE GOI'S "WIS-
DOM" IN ENACTING THESE "DRACONIAN" MEASURES.
END SUMMARY.

1. IN AN EXTRAORDINARILY OUTSPOKEN COMMENTARY, "PRESS
UNDER PRESSURE," DELHI RESIDENT EDITOR OF THE INDIAN
EXPRESS, AJIT BHATTACHARJEA OBSERVED THAT IN A "GENUINE
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ACY" RELATIONS BETWEEN THE GOVERNMENT AND THE BULK OF THE PRESS "ARE BOUND TO BE STICKY." HE WARNED THAT "IF A VISITOR FINDS ONLY PRAISE AND NO CRITICISM OF THE GOVERNMENT AND RULING PARTY IN LOCAL NEWSPAPERS, HE CAN BE PRETTY SURE THAT HE IS IN A TOTALITARIAN STATE." HIS LONG EDITORIAL ANALYZES THE FUNCTIONS OF A FREE PRESS IN A FREE SOCIETY ALONG CLASSIC LINES. "BUT THE THREE ORDINANCES CONCERNING THE PRESS PROMULGATED RECENTLY MAKE IT CLEAR THAT THE GOVERNMENT INTENDS TO MAKE SUCH RESTRICTIONS THE NORMAL LAW OF THE LAND. AND THIS HAS SERIOUS IMPLICATIONS." THE EDITORIAL CHARACTERIZES THE PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER ORDINANCE AS "A MUCH HARSHER VERSION OF THE WIDELY-CONDEMNED" PRESS ACT OF 1951 WHICH WAS REPEALED IN 1956. "NOTHING HAS HAPPENED IN THIS (EMERGENCY) PERIOD THAT COULD NOT HAVE BEEN CONTROLLED UNDER EXISTING LAW."

2. EQUALLY HARD-HITTING WAS V.K. NARASIMHAN, EDITOR OF THE FINANCIAL EXPRESS. IN HIS BYLINER DECEMBER 15, HE MADE THREE MAJOR POINTS: (1) THE PRESS COUNCIL'S "VIGOROUS DEFENSE" OF PRESS FREEDOM "SEEMS TO HAVE INFLUENCED THE GOVERNMENT TO ABOLISH IT." (2) THE "VAGUELY WORDED" PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER ORDINANCE GIVES OFFICIALS THE "PERMIT OF CONSIDERABLE ABUSE" AND QUESTIONS "WHETHER IT IS AT ALL NECESSARY IN ITS DRACONIAN REINCARNATION." (3) GOVERNMENTS SHOULD NOT EQUATE THEIR TEMPORARY MAJORITIES WITH "EVERLASTING WISDOM AND AUTHORITY." PRESS DOES NOT REPRESENT "SUPERIOR WISDOM" BUT IT IS A "MEANS THROUGH WHICH WISDOM AND RIGHT COUNSEL MAY EMERGE TO PROTECT THE PUBLIC INTEREST AND PREVENT THE ABUSE OF POWER."

3. THE ECONOMIC TIMES EDITORIALIZED DECEMBER 12 THAT THE PENALTY OF IMPRISONMENT, REQUIREMENT OF SECURITY DEPOSITS AND FORFEITURE OF PRINTING PRESSES TO PREVENT PUBLICATION OF "OBJECTIONABLE MATTER" ARE APPARENTLY LONG-TERM SUBSTITUTES FOR CENSORSHIP. IT APPEARS "WE ARE NOW FACED WITH COMPULSION BY THREAT." IT FURTHER STRESSED THAT JUDICIAL REVIEW "IS NO CONSOLATION, FOR LIMITED OFFICIAL USE

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PRESS ENTERPRISES AND RESOURCES CANNOT MATCH THE POWER AND RESOURCES OF THE GOVERNMENT."

4. THE PATRIOT ON DECEMBER 11, IN A TYPICALLY "MARXIST" ANALYSIS FINDS THE CONCLUSION "INESCAPABLE THAT HAD THE GOVERNMENT SUMMONED ENOUGH COURAGE EARLIER TO DRIVE OUT OF THE OWNERSHIP OF THE PRESS ALL MONOPOLISTIC AND REACTIONARY INTERESTS, AND ORDINANCE LIKE THIS (PREVEN-

TION OF PUBLICATION OF OBJECTIONABLE MATTER) WOULD NOT HAVE BEEN NECESSARY." YET EVEN THIS CPI MOUTHPIECE FINDS THAT THE ORDINANCE ARMS THE BUREAUCRAT WITH "DRACONIAN POWERS" AND WONDERS WHETHER HE WOULD THEREBY PROTECTED FROM CRITICISM WILL NOT "LOOK LIKE OCCUPANTS OF GLASS HOUSES."

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5. TWO OTHER LEFTIST POLITICAL WEEKLIES, MAINSTREAM AND NEW AGE (OFFICIAL ORGAN OF THE CPI) HAILED THE ABOLITION OF THE PRESS COUNCIL. BUT IN ITS DECEMBER 13 ISSUE MAINSTREAM ALSO ASKED FOR "AN EXPLANATION FOR SUCH A HURRY" IN PROMULGATING THE ORDINANCES AND FOUND THEM AN "EXTRAORDINARY WAY OF PROMOTING HEALTHY NATIONALISM" IN INDIA. IT CONCLUDED: "DISSENT BY ITSELF IF NOT NECESSARILY A THREAT TO DEMOCRACY." NEW AGE, DECEMBER 14, BEMOANED THAT "PATRIOTIC AND DEMOCRATIC" WORKING JOURNALISTS WERE NOT CONSULTED IN PROMULGATING THE NEW ORDINANCES. IT OBSERVED THAT "EXECUTIVE INTERPRETATIONS MAY MAKE THE SITUATION INTOLERABLE AND OPPRESSIVE" WITH RESPECT TO THE PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER ORDINANCE.

6. IN A DECEMBER 15 EDITORIAL "PRESS REFORM," THE HINDU FINDS THAT: "BUT WHAT PARTICULARLY DIFFERENTIATES THE (OBJECTIONABLE MATTER) ORDINANCE FROM THE EARLIER 1951 LAW IS THE RESORT TO "EXTRAORDINARY PUNITIVE PROVISIONS" WHICH CAN HAVE THE "UNINTENDED EFFECT OF ENVELOPING THE ENTIRE PRESS IN AN EVER-PRESENT CLOUD OF FEAR." THE EDITORIAL OBSERVES THAT DISSOLVING THE PRESS COUNCIL "MAY ACTUALLY BE WELCOMED BY MANY, AS ITS VERY CONSTITUTION AS A STATUTORY BODY WOULD SEEM TO HAVE FOREDOOMED IT TO INEFFECTIVENESS. LIMITED OFFICIAL USE

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WHAT IS NEEDED IS VOLUNTARY ACTION BY THE INDIAN PRESS FOR THE FORMATION OF SUCH A COUNCIL SUSTAINED BY A WILLINGNESS ON THE PART OF EVERY PAPER AND JOURNAL TO RESPECT A CODE OF CONDUCT TO BE FORMULATED BY IT AND A READINESS TO SUBJECT ITSELF TO SCRUTINY BY IT." "THE SOONER THE NEWSPAPERS DISPLAY INITIATIVE IN THIS MATTER THE BETTER," THE HINDU CONCLUDES. SAXXBE

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